

BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

VINCENT ALIT *et al.*,

Appellants,

v.

EMPLOYMENT SECURITY DEPARTMENT,

Respondent.

Case No. ALLO-03-0001

ORDER OF THE BOARD FOLLOWING  
HEARING ON EXCEPTIONS TO THE  
DETERMINATION OF THE DIRECTOR

**Hearing on Exceptions.** This appeal came on for hearing before the Personnel Appeals Board, GERALD L. MORGEN, Vice Chair, and BUSSE NUTLEY, Member, on Appellant's exceptions to the director's determination dated December 13, 2002. The hearing was held at the Personnel Appeals Board, 2828 Capitol Boulevard, Olympia, Washington, on September 19, 2003.

**Appearances.** Appellants Ellen Levitt, Dollie Lofton, Vince Alit, Bryan Silver, Noel Woodard, Brenda Kongaika, Teresa Southard-Kobuki, M. Susan Bilyeu, E. Samaniego, Deitra A. Garrett, Sharon Vail, Joanne Prescott, Sandra Ross, and Zengwen Micheal Lin were present. They were represented by Attorney Michael C. Subit. Russ Widders, Human Resource Consultant, represented Respondent Employment Security Department.

**Background.** Appellants submitted Classification Questionnaires (CQs) as part of a class study conducted by the Employment Security Department (ESD) and the Department of Personnel. Effective January 11, 2002, the Personnel Resources Board adopted the new WorkSource Specialist series. Appellants' positions as Job Service Specialist 3s were laterally reallocated to the new

1 WorkSource Specialist 3 classification, and Appellants were notified of the decision by letter dated  
2 March 11, 2002. Appellants believed their positions should have been reallocated to the  
3 WorkSource Specialist 4 classification, and they requested a review by the Department of  
4 Personnel.

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6 On June 27, 2002, Paul L. Peterson, Personnel Hearings Officer, held an allocation review. By  
7 letter dated December 13, 2002, Mr. Peterson advised Appellants that their positions were properly  
8 allocated to the WorkSource Specialist 3 classification. On January 8, 2003, Appellants filed  
9 exceptions to the determination of the Department of Personnel.

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11 On September 15, 2003, the Board granted a partial *de novo* hearing on the limited issue of whether  
12 Appellants' positions are "designated" specialists as required for allocation to the WorkSource  
13 Specialist 4 specification.

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15 **Summary of Appellants' Argument.** Appellants argue that the director's designee erred in  
16 concluding that a formal or written specialist designation was a prerequisite to classification as a  
17 WSS 4 because the specification does not mandate a formal or written designation. Appellants  
18 assert that neither the WSS 4 definition nor its distinguishing characteristics expressly states that  
19 designation as specialist is a condition precedent for classification at that level, absent performance  
20 of leadworker duties and that the WSS 4 classification specification appears to be merely a  
21 description of the classification's status and functions. Appellants contend the director's designee  
22 erred by failing to consider whether Appellants had been "designated" as specialists by their very  
23 duties and responsibilities and failed to give weight to the fact that Appellants' current job titles are  
24 as "Work Service Specialists." The Appellants argue that their approved CQ's state they are  
25 "recognized as the subject matter expert ... within the geographic area they are responsible for."  
26 Appellants assert their job duties and responsibilities establish they are true "specialists," and that to

1 the extent the WSS 4 job classification requires them to be “designated specialists” they have been  
2 so designated.

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4 **Summary of Respondent’s Argument.** Respondent asserts that Appellants are appropriately  
5 allocated to the WSS 3 level. Respondent argues that the agency, through an Assistant  
6 Commissioner, confers “designation” on a position as a “designated specialist.” Respondent argues  
7 that the WSS 4s in WorkFirst provide intensive services to mandatory clients for at least 50 percent  
8 of their time and have extensive contacts with the clients they service. Respondent argues that  
9 while Appellants have responsibility to issue transportation vouchers and other vouchers, they do  
10 not have the authority to obligate supportive services or training funds. Respondent additionally  
11 argues that Appellants’ assignments as service providers within the WorkFirst Post Employment  
12 Labor Exchange are specifically addressed in the first option of the WSS 3 definition. Respondent  
13 argues that when a class specifically includes a particular assignment, the job will be allocated to  
14 that class. Respondent argues that in this case, Appellants have not been designated at the WSS 4  
15 level because the work they perform clearly fits in the WSS 3 classification.

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17 **Primary Issue.** Whether the director’s determination that Appellants’ positions are properly  
18 allocated to the WorkSource Specialist 3 classification should be affirmed.

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20 **Relevant Classifications.** WorkSource Specialist 3, class code 30130; WorkSource Specialist 4,  
21 class code 30160.

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23 **Decision of the Board.** The purpose of a position review is to determine which classification best  
24 describes the overall duties and responsibilities of a position. A position review is neither a  
25 measurement of the volume of work performed, nor an evaluation of the expertise with which that  
26 work is performed. Also, a position review is not a comparison of work performed by employees in

1 similar positions. A position review is a comparison of the duties and responsibilities of a particular  
2 position to the available classification specifications. This review results in a determination of the  
3 class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v.  
4 Washington State University, PAB Case No. 3722-A2 (1994).

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6 Where a job classification requires “designation” as a specialist, the PAB examines the duties the  
7 position incumbent actually performs to determine whether such a designation has occurred.  
8 Eastwood v. Dep’t. of Labor and Industries, PAB No. ALLO-99-0034 (2000).

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10 There is no dispute about Appellants’ duties and responsibilities. The question here is whether the  
11 work the work performed by Appellants is more appropriately classified at the WorkSource  
12 Specialist 3 or at the WorkSource Specialist 4 level and, more specifically, whether the work  
13 performed by Appellants supports they are “designated” as specialists. Before Appellants’  
14 positions can be allocated to the WSS 4 classification, they must meet the definition of the  
15 classification. In this case, Appellants’ positions must be designated as specialists delivering direct  
16 core, intensive and training services to WorkFirst (mandatory TANF) clients. Therefore, to  
17 determine whether Appellants are “designated specialists,” we have reviewed their CQs and the  
18 supporting documents in the record.

19  
20 Appellants provide WorkFirst clients, who are currently on TANF (Temporary Assistance to Needy  
21 Families) or have departed a TANF grant within the last two years, with employment and training  
22 services. Fifty percent of Appellants’ job duties include determining eligibility for programs,  
23 identifying and analyzing employment barriers with job seekers, and guiding, monitoring and  
24 motivating clients to follow through with approved plans. Appellants conduct in-depth interviews,  
25 provide individualized client services and develop individual employment plans and provide  
26 training services. Appellants gather client information to assess education, and work skills.

1 Appellants initiate and coordinate service delivery with other WorkFirst partners and agencies to  
2 address and resolve any identified barriers. Appellants spend 10 percent of their work time  
3 conducting extensive research to become familiar with and knowledgeable about their assigned  
4 geographic area and another 10 percent of their work time learning transportation systems, daycare  
5 facilities, housing, etc. Appellants work under the general direction of a manager or supervisor.

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7 Ten-percent of Appellants' duties include providing basic and advanced employment services  
8 consisting of job search, skills identification, obligating and de-obligating support service funds, job  
9 development, job matching, resume writing, labor market information, career counseling, referral to  
10 training, on-the-job training, Work Experience, Earned Income Tax Credit, Work Opportunity Tax  
11 Credit to employers and referral openings for job ready clients.

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13 The definition for the class of WorkSource Specialist 4, in pertinent part, indicates that the  
14 incumbent functions "(1) As a designated specialist, delivers direct core, intensive, and training  
15 services to WorkFirst (mandatory TANF) clients ..." (emphasis added). The distinguishing  
16 characteristics indicate that the incumbent in the WSS 4 position is a senior-level employee,  
17 working independently as either a designated specialist or as a leadworker. The distinguishing  
18 characteristics also indicate as follows:

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20 As a designated specialist, provides the entire range of employment and job  
21 training services with authority to approve training funds and authorize supportive  
22 services.

23 We have compared Appellants' duties to the WSS 4 job specification. However, Appellants have  
24 not shown the work they perform goes beyond the WSS 3 classification or that they perform duties  
25 at the WSS 4 level. First, although Appellants provide employment and job training services to  
26 WorkFirst Clients on TANF or departed TANF within the last two years, these clients are not

1 mandatory TANF clients as required by the WSS 4 classification. Secondly, while Appellants  
2 obligate and de-obligate support services, they only perform this duty 10 percent of their work time.  
3 The work performed by Appellants does not support their argument that they have been  
4 “designated” by their very duties and responsibilities.

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6 The definition for the class of WorkSource Specialist 3 indicates, in pertinent part, that the  
7 incumbent, “Delivers direct core & intensive services to WorkSource ... WorkFirst Post-  
8 Employment Labor Exchange ... customers. ...” The Distinguishing Characteristics of the  
9 WorkSource Specialist 3 state as follows:

10       This is the fully qualified professional level. Positions at this level work  
11       independently, and spend a majority of time providing intensive services or  
12       conducting outreach activities. May issue transportation vouchers or initiate  
13       supportive service vouchers, but do not have the authority to obligate supportive  
14       services or training funds.

15 In this case, a preponderance of Appellants’ overall responsibilities and duties are clearly  
16 encompassed by the definition, distinguishing characteristics and typical work of the WorkSource  
17 Specialist 3 classification, including Appellants’ duties delivering direct core and intensive services  
18 to WorkSource and WorkFirst Post-Employment Labor Exchange Customers in work search  
19 activities, development of employability plans, and job training.

20 Therefore, the decision that Appellants’ assignments are more appropriately allocated to the  
21 WorkSource Specialist 3 classification should be affirmed.

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23 **Conclusion.** The appeal on exceptions by Appellant should be denied and the Director’s  
24 determination dated December 13, 2002, should be affirmed and adopted.  
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**ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellants is denied, and the attached Director’s determinations, dated December 13, 2002, are affirmed and adopted.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

WASHINGTON STATE PERSONNEL APPEALS BOARD

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Gerald L. Morgen, Vice Chair

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Busse Nutley, Member